

**UNITED STATES DISTRICT COURT**  
for the Eastern District of Virginia  
Norfolk Division

Case # 2:21 cv 453

Joelle Angel, et. al.:  
Rozelynd Bright, Keith Curry, Cherie Lee, Cynthia Parker,  
Kelvin & Peggy Penny, Stephen Vinson, Samuel Ward,  
Michael Williams, & Sandra Williams.

Plaintiffs  
(Pro se)

V.

Charlestowne Condominium Association, Inc.,  
Cavalier Community Partners, LLC.,  
Atlantic Community Management, Corporation,  
Trente Balderson, Jeffrey Hodgson,  
& Philip Massa.

Defendants  
(Individually & Collectively)

28 USC §§ 1331; 1441(a); 1453(b) &amp; 1446

The Fair Housing Act: 1968  
The Older Americans Act: 1965

Fed. Rules Civ. P. 81: Removal of Action

Fed. Rules Civ. P. 23: Class Actions

Va. Condominium Act  
Breach of Contract & Fiduciary Duty

Jury Trial requested

**Defendants' Amended Notice of REMOVAL of Action(s)**  
(AFFIDAVIT)

\* Removal of the following Warrant in Debt actions from Portsmouth General District Court  
(by the original defendants):

Portsmouth  
General District Court  
Case #'s  
filed by original Plaintiff:  
Charlestowne  
Condominium Association

original DefendantsCase #'s

Joelle Angel	740 GV2100 1538-00
Rozelynd Bright & Michael Williams	GV2100 1539-00
Keith Curry	GV2100 1540-00
Cherie Lee	GV2100 3300-00
Cynthia Parker	GV2100 3301-00
Kelvin & Peggy Penny	GV2100 3302-00
Stephen Vinson	GV2100 1542-00
Samuel Ward	GV2100 2032-00
Sandra Williams	GV2100 3304-00

**FILED**

AUG 12 2021

CLERK, U.S. DISTRICT COURT  
NORFOLK, VA

Portsmouth  
General District Court  
Case #'s  
filed by original Defendants  
(as Countersuit Actions)

Countersuit PlaintiffsCase #'s

Joelle Angel	GV2100 1753-00
Rozelynd Bright & Michael Williams	GV2100 1758-00
Keith Curry	GV2100 1774-00
Cynthia Parker	GV2100 3985-00
Stephen Vinson	GV2100 1754-00
Samuel Ward	GV2100 2064-00
Sandra Williams	GV2100 3986-00

\* including any and all unknown, unstated, and/or concealed cases filed against them  
(in Portsmouth General District Court) by Charlestowne Condo Association, Inc., et. al.

**I. Notice:**

- A. Please take notice that the original Defendants [now countersuit Plaintiffs] have **removed to the United States District Court** all claims and causes of action now pending in the **General District Court of Portsmouth, VA.**
- B. A copy of all pleadings served upon the original plaintiffs--Charlestowne Condo Association, et. al -- (by the original defendants) to date in the State Court are attached as **Exhibits:**
- |   |  |
|---|--|
| Ex. 1: 'Motion for Joinder of Adt'l Parties.' | Ex. 2: 'Consolidated Warrant in Debt.                            |
| Ex. 3: 'Opposition to Defendants' Pleas.'     | Ex. 4: 'Motion for Recusal of Substitute Judge.                  |
| Ex. 5: 'Motion to Amend requested Relief.'    | Ex. 6: 'Bill of Particulars / Grounds of Defense' (w/ Exhibits). |
- C. A copy of all pleadings served upon the original defendants [now countersuit Plaintiffs] by the original plaintiff--Charlestowne Condo Association-- to date in the State Court are attached as:  
**Exhibits 7 & 8** (Bill(s) of Particulars); **Exhibits 9 - 17** (Warrant(s) in Debt).
- D. The original defendants' [now countersuit Plaintiffs'] grounds for removal are as follows:

**II. This Civil Action is founded on Claims and Rights under the Laws of the United States:**

- A. Accordingly, the matter presents federal and Constitutional questions, as stated above. Therefore, removal is appropriate.
- B. The original plaintiff(s) have discriminated against the original defendants (older Native & African American) by enforcing differential treatment in the provision of services on the basis of race. They are violating The Fair Housing Act [42 USC §§ 3601 – 19]. Thus, we request this Court to grant relief from the vicariously liable [all-white] plaintiffs (now countersuit defendants).
- C. The original plaintiff(s) are breaching the homeowner association (HOA) contract by refusing to perform contracted repairs and services, thus continually depreciating our homes and property.
- D. The sham HOA; management and owner; and the declarant (developer) continue to defraud condo owners by violating The Virginia Condominium Act [§ 55.1-1943-G] -- refusing to "*transfer control of the association,*" yet demanding increased condo fees.
- E. On Feb. 17, 2021, the U.S. Dept. of Housing and Urban Development (HUD) filed a 'housing discrimination' complaint against Charlestowne Condo Association, Inc., et. al., in behalf of the Charlestowne condo owners ("*a largely African American condo community*):"  
[HUD file # 03-21-77862-8].  
A 100-day investigation was scheduled to assess violations of the Fair Housing Act:  
[§ 804 (b) of Title VIII of the Civil Rights Act of 1968, as amended – the Fair Housing Act of 1988].
- F. On June 2, 2021, the US Dept. of HUD advised the Charlestowne condo owners that:  
"*Investigation of the referenced complaint has not been completed within 100 days from the filing of the complaint. . . . After the projected completion date of August 14, 2021, further investigation may be necessary.*"

**III. This Notice of Removal is Timely and Complete and has been properly Served:**

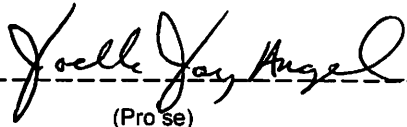
- A. Original defendants received clear notice of this action (via Complaint / 'Bill of Particulars') on July 12, 2021. Therefore, this Notice is timely filed pursuant to 28 USC § 1446.
- B. This Court has original jurisdiction over the parties.
- C. All original defendants--current class action Plaintiffs--are named in this Notice. All requirements for removal of action have been met.
- D. The original defendants have provided written notice of this Notice to counsel of record for the original plaintiffs. A true and complete copy of this Notice will be filed in the State Court action(s).

Affidavit Declaration

We swear (affirm) under penalty of perjury that the statements made in this Notice of Removal to Federal Court [Affidavit] are true and correct to the best of our knowledge.

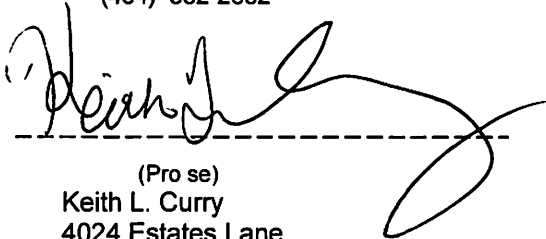
this 12<sup>th</sup> day of August, 2021.

By



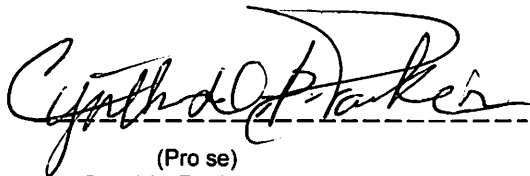
(Pro se)

Joelle Joy Angel  
1631 Darren Circle  
Portsmouth, VA 23701  
(434) 532-2682



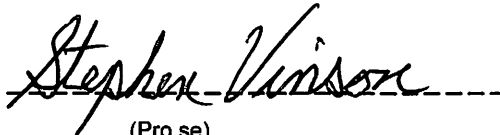
(Pro se)

Keith L. Curry  
4024 Estates Lane  
Portsmouth, VA 23703  
(757) 724-4670



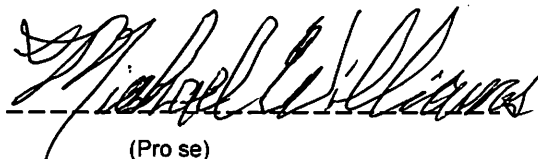
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Cynthia Parker  
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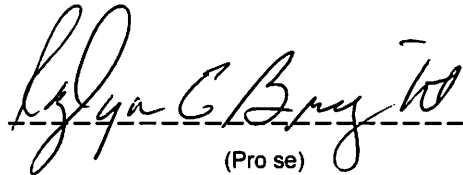
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Stephen Vinson  
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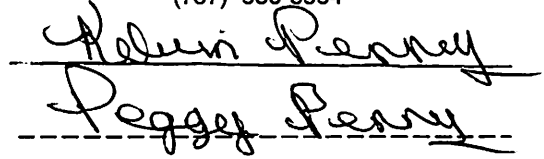
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Michael Williams  
4652 Greenwood Dr.  
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(757) 690-3269



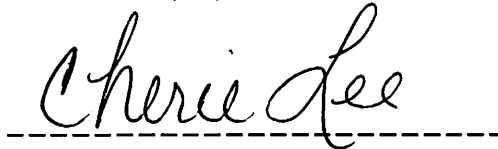
(Pro se)

Rozelynd Bright  
4652 Greenwood Dr.  
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(757) 630-5864



(Pro se)

Cherie Lee  
1637 Darren Circle  
Portsmouth, VA 23701  
(757) 286-1140



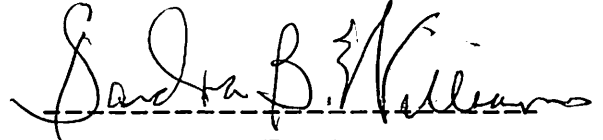
(Pro se)

Kelvin & Peggy Penny  
1645 Darren Cir.  
Portsmouth, VA 23701  
(757) 606-1201



(Pro se)

Samuel Ward  
1570 Darren Circle  
Portsmouth, VA 23701  
(757) 465-2332



(Pro se)

Sandra Williams  
4600 Greenwood Dr.  
Portsmouth, VA 23701  
(757) 714-88974

X Countersuit Plaintiffs

Plaintiffs' Attorney

Certificate of Service

We certify that a copy of the Countersuit Plaintiffs' Amended Notice of Removal to Federal Court [Affidavit] was delivered to the Clerk of Court and mailed to Defendants or Counsel for Defendants:

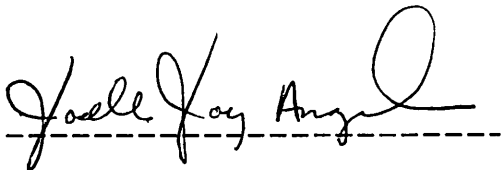
**Jeffrey A. Hunn**, Esquire  
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Richmond, VA 23219  
(VSB #: 93733)

**Ashley Yellott**, Esquires  
Thomas, Adams & Associates, P.C.  
4176 South Plaza Tr. (Suite 128)  
Virginia Beach, VA 23452  
(VSB #: 91806)

this 12<sup>th</sup> day of August, 2021.

By



(Pro se)  
Joelle Joy Angel, et. al  
1631 Darren Circle  
Portsmouth, VA 23701  
(434) 532-2682

  X   Plaintiffs        Plaintiffs' Attorney